

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

In the Official Action, the Examiner objects to the drawings as failing to comply with 37 C.F.R. § 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description. Specifically, the Examiner argues that reference numeral 203 is not shown in Figure 7 and reference numeral 232 is not shown in Figure 8. In response, Figure 7 has been amended to change reference numeral "203" to reference numeral --230-- to designate the MEMS mirror array. The specification at page 17, lines 2-3 refers to such MEMS mirror array with reference numeral 230. Furthermore, the specification has been amended at page 17, lines 24-25 to add reference numeral 232 after the description of the "same mirror substrate." Accordingly, it is respectfully requested that the objection to the drawings under 37 C.F.R. § 1.84(p)(5) be withdrawn.

In the Official Action, the Examiner objects to Figure 12 because it should be designated by a legend such as "Prior Art" because only that which is old is illustrated therein. In response, Figure 12 has been amended to add such legend. Accordingly, it is respectfully requested that the objection to Figure 12 be withdrawn.

In the Official Action, the Examiner objects to the specification because the mirror referred to in the specification as reference numeral 103 on page 17, lines 10, 16, and 18 should apparently be reference numeral 231. In response, the specification at page 17, lines 10, 16, and 18 has been amended as suggested by the Examiner to change reference numeral "103" to --231--. Accordingly, it is respectfully requested that the objection to the specification be withdrawn.

In the Official Action, the Examiner objects to claim 7 because the recitation of "the signal light beam" on line 3 thereof should apparently be --the signal light beams--. In response, claim 7 has been canceled thereby rendering the rejection thereof moot. Accordingly, it is respectfully requested that the objection to claim 7 be withdrawn.

In the Official Action, the Examiner rejects claim 8 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner argues that the limitation "the semiconductor micromachine technology" in the last line thereof lacks antecedent basis in the claim. In response, claim 8 has been canceled thereby rendering the rejection thereof moot. Accordingly, it is respectfully requested that the rejection of claim 8 under 35 U.S.C. § 112, second paragraph, be withdrawn.

In the Official Action, the Examiner rejects claims 10, 11, 12, 13, and 14 under 37 C.F.R. § 1.75 as being substantially duplicative with respect to claims 1, 2, 5, 6, and 7. In response, claims 10, 11, 12, 13, and 14 have been canceled thereby rendering the rejection thereof moot. Accordingly, it is respectfully requested that the rejection of claims 10, 11, 12, 13, and 14 under 37 C.F.R. § 1.75 be withdrawn.

In the Official Action, the Examiner rejects claims 1-6 and 8-13 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,529,652 to Brener (hereinafter "Brener"). Furthermore, the Examiner rejects claims 7 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Brener in view of European Patent No. 1,102,096 to Aksyuk et al., (hereinafter "Aksyuk").

In response, claims 1-14 have been canceled thereby rendering the rejections thereof moot. Accordingly, the Examiner is respectfully requested to withdraw the rejections of claims 1-14 under 35 U.S.C. §§ 102(e) and 103(a).

Lastly, new claims 15-19 have been added to further define the patentable invention. New claims 15-19 are fully supported in the original disclosure. Particularly, new claim 16 is fully supported in the specification from page 22, line 2 to page 28, line 20; new claim 21 is fully supported in the specification at page 6, lines 14-25; new claim 17 is fully supported in the specification at page 8, lines 10-16; and claims 18 and 19 are fully supported in the specification and in original claims 6 and 7. Thus, no new matter has been entered into the disclosure by way of the addition of new claims 15-19.

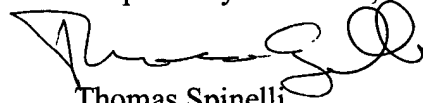
As recited in new claim 15, "at least one of the signal input optical fibers (included in the input side fiber array) also serving as an adjustment optical fiber." Therefore, after a direction of the mirror array has been adjusted, all fibers included in the input side fiber array can be used as signal fibers. The cited references do not suggest or disclose such a structure or the advantages resulting therefrom.

Thus, Applicants submit that independent claim 15 patentably distinguishes over the prior art and is allowable and that claims 16-19 are at least allowable as being dependent therefrom.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone

conference with Applicant's attorneys would be advantageous to the disposition of this case,
the Examiner is requested to telephone the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas Spinelli', with a stylized flourish at the end.

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Encl. (Replacement Sheets for Figures 7 and 12)